

By Pierce

H. B. No. 1753

A BILL TO BE ENTITLED

AN ACT

relating to the collection of fees for boiler inspections.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 5, Chapter 436, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 5221c, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 5. Every insurance company authorized to insure and inspect boilers in this State shall, within thirty (30) days after a certificate inspection file a report with the Commissioner stating the condition of the boiler. The report shall also include the location of the boiler, date inspected, and the name of the inspector.

Any boiler inspected by an authorized inspector shall be exempt from other inspections and inspection fees under the provisions of this Act; provided nothing in this Section shall prevent the Commissioner from authorizing the inspection of any boiler at any reasonable time when, in the opinion of the Commissioner, such boiler may be in an unsafe condition. The Commissioner shall contact the insurance company carrying insurance on the boiler and request the authorized inspector to participate with the Chief Inspector or Deputy Inspector to jointly inspect the boiler, within twenty (20) days. No additional charge shall be made for this inspection.

The Commissioner is authorized to issue a Certificate of

1 Operation to the owner or user of all boilers subject to inspection
2 under this Act. ~~[The--owner--or--user--shall--remit--to--the--Texas~~
3 ~~Department--of--Labor--and--Standards--the--sum--of--Five--Dollars--(\$5)--for~~
4 ~~each--Certificate--of--Operation--to--be--issued--This--fee--is--included~~
5 ~~in--the--internal--and--external--inspection--fee--authorized--in--Section~~
6 ~~11--of--this--Act.]~~

7 Every insurance company shall notify the Commissioner in
8 writing of the cancellation or expiration of every policy of
9 insurance issued by it with reference to boilers in this State,
10 ~~{within--twenty--(20)--days}~~ after the expiration or cancellation of
11 said policy, giving the cause or reason for such cancellation or
12 expiration. Such notice of cancellation or expiration shall show
13 the date of the policy and the date when the cancellation or
14 expiration has or will become effective.

15 SECTION 2. Section 11, Chapter 436, Acts of the 45th
16 Legislature, Regular Session, 1937, as amended (Article 5221c,
17 Vernon's Texas Civil Statutes), is amended to read as follows:

18 Sec. 11. (a) The Commissioner may fix and collect fees for the
19 inspection of boilers and the issuance of Certificates of
20 Operation.

21 Such fees must be paid by the owner or user before the
22 issuance of a Certificate of Operation for the boiler inspected.

23 (b) The Commissioner may fix and collect fees for
24 administering examinations as provided by this Act ~~[to--insurance~~

1 ~~companies¹-boiler-inspectors.]~~

2 ~~[(c)--The--Commissioner--may--fix--and--collect--fees--for--the~~
3 ~~inspection--and--certification--as--provided--by--this--Act--of--safety~~
4 ~~valve-repairmen--or--manufacturers.]~~

5 [(d)] (c) With the advice of the Board of Boiler Rules, the
6 Commissioner shall fix the fees provided by the Act in amounts
7 that produce income sufficient to cover the expenses incurred in
8 the administration of this Act. Fees collected by the
9 Commissioner under the provisions of this Section of the Act
10 shall be paid into the state Treasury to the credit of the
11 General Revenue Fund.

12 [(e)] (d) The Commissioner may fix and collect fees for special
13 inspections as referred to in Section 6 of this Act. Such fees,
14 travel, and per diem collected under the provisions of this
15 Section of the Act shall be reappropriated to the credit of the
16 Boiler Inspection Division.

17 SECTION 3. This Act takes effect September 1, 1981.

18 SECTION 4. The importance of this legislation and the
19 crowded condition of the calendars in both houses create an
20 emergency and an imperative public necessity that the
21 constitutional rule requiring bills to be read on three several
22 days in each house be suspended, and this rule is hereby suspended.

H. B. No.

By

AN ACT

relating to the collection of fees for boiler inspections.

MAR 10 1981

1. Filed with the Chief Clerk.

MAR 16 1981

2. Read first time and Referred to Committee on

Employment Practices

3. Reported favorably (as amended) (as substituted) and sent to Printer at _____

4. Printed and distributed at _____

5. Sent to Committee on Calendars at _____

6. Read second time (amended); passed to third reading (failed) by (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

7. Motion to reconsider and table the vote by which H.B. _____ was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of _____ yeas, _____ nays, and _____ present, not voting.

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote of _____ years, _____ days, _____ present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. _____ was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

12. Ordered Engrossed at _____

13. Engrossed.

14. Returned to Chief Clerk at _____

15. Sent to Senate.

Chief Clerk of the House

16. Received from the House

17. Read, referred to Committee on _____

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

21. Regular order of business suspended by _____
(a viva voce vote.)
(_____ years, _____ days.)

_____ 22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

_____ 23. Read second time _____ passed to third reading by:
(a viva voce vote.)
(_____ yeas, _____ nays.)

_____ 24. Caption ordered amended to conform to body of bill.

_____ 25. Senate and Constitutional 3-Day Rules suspended by vote of _____ yeas,
_____ nays to place bill on third reading and final passage.

_____ 26. Read third time and passed by
(a viva voce vote.)
(_____ yeas, _____ nays.)

OTHER ACTION:

OTHER ACTION:

Secretary of the Senate

_____ 27. Returned to the House.

_____ 28. Received from the Senate (with amendments.)
(as substituted.)

_____ 29. House (Concurred) (Refused to Concur) in Senate (Amendments) (Substitute) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

_____ 30. Conference Committee Ordered.

_____ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

_____ 32. Ordered Enrolled at _____

EP